

Panaji, 6th May, 1982 (Vaisaka 16, 1904)

SERIES II No. 6

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 6/2/81-PER

Read: orders Nos. 6/2/81-PER dated 5-10-81 and 21-10-1981.

The following officers appointed on probation to the Goa, Daman & Diu Civil Service Grade II vide orders cited above and who have undergone Foundational Training Course at the Directorate, Union Territories Civil Service (Trg.) New Delhi are posted as:—

Sl. No.	Name of the probationer	Posted as
1.	Smt. Anju Benerjee	Additional Dy. Collector in the office of the Collector of Goa, Panaji.
2.	Shri M. S. Khan	Additional Dy. Collector in the office of Dy. Collector, North Goa Sub-Division, Panaji.
3.	Shri D. C. Sahoo	Additional Dy. Collector, Collectorate of Daman.
4.	Shri A. K. Wasnik	Additional Dy. Collector in the office of Dy. Collector, South Goa Sub-Division, Margao.

2. The above probationers will continue to draw their salaries against the training/leave reserve posts of Civil service.

3. The probationers shall work as Additional Dy. Collector in the first half of the office timing and perform the duties of the Additional Dy. Collector, and in the latter half of the day they shall undergo post institutional Training as per Government Notification No. 6-5-79-Div. I dated 23-11-79, published in Official Gazette Series I No. 36 dated 6-12-1979.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 26th April, 1982.

Order

No. 4/41/77-PER (Vol. II)

On placement of his services at the disposal of Andaman & Nicobar Administration by Government of India, Ministry of Agriculture (Department of Agriculture & Co-operation), New Delhi, the Administrator of Goa, Daman and Diu is pleased to relieve Shri Joseph Rangel, I. F. S., Dy. Conservator of Forests, Panaji w. e. f. 30-4-1982 (A.N.), to enable him to join his new assignment. He shall report to the Forest

Secretary, Andaman & Nicobar Administration (Forest Department), Port Blair, for further instructions/orders, after availing himself of normal joining time.

2. Shri Joseph Rangel shall hand over the charge to Shri Khazan Singh, I. F. S., Dy. Conservator of Forests Cashew Division, Ponda who shall hold the current charges of the post of Dy. Conservator of Forests (Research Utilisation & Working Plan) and the Wild & Parks Division, in addition to his own duties, until further orders.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 26th April, 1982.

Order

No. 3/27/82-PER

In terms of Government of India Ministry of Home Affairs, letter No. U-14020/65/81-UTS dated 13-1-1982, appointing S/Shri Rakesh Mohan and Rajeev Talwar, IAS (U.T.) to senior IAS scale posts under this Administration, the Administrator of Goa, Daman and Diu is pleased to appoint S/Shri Rakesh Mohan and Rajeev Talwar to senior IAS scale posts with effect from 22-1-1982 and shown against the vacant post of the Secretary to L. G. and the Secretary to Chief Minister respectively.

2. S/Shri Rakesh Mohan and Rajeev Talwar, IAS (U. T.) shall continue to hold the post of Dy. Collector, South Goa Sub-Division Margao and the post of North Goa Sub-Division, Panaji respectively until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 26th April 1982.

Notification

No. 3/33/82-PER

Read: Govt. of India, Ministry of Home Affairs Notification No. 14017/2/82-AIS (II) dated 2-3-1982.

On placement of his services at the disposal of this Administration by the Central Government with the concurrence of the Government of Maharashtra for appointment as Secretary to Chief Minister on deputation basis, the Administrator of Goa, Daman and Diu is pleased to appoint Shri Ramamurthi Gopal, IAS (Maharashtra) as Secretary to Chief Minister, w. e. f. 30th April, 1982 (F.N.).

2. With effect from the same date, the appointment of Shri Rajeev Talwar, IAS, appointed to senior IAS pay scale vide Order No. 3/27/82-PER dated 26-4-82 is shown against the leave vacancy of the post of Commissioner of Sales Tax, Entertainment Tax and Excise, to which he is appointed in officiating capacity in addition to his own duties as Dy. Collector, Panaji.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 30th April, 1982.

Local Administration and Welfare Department

Order

No. 10-8-82-LAWD/B.B.R.

In exercise of the powers conferred by Section 59 of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, the Administrator of Goa, Daman and Diu is hereby pleased to exempt the Goa Agricultural Produce Market Committee, Margao from the application of the following part of the provisions of Sub-rule (1) of Rule 107 of the

Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1969, namely:—

"All such cash in the Market Fund shall be kept in the Goa State Cooperative Bank Ltd., or in the absence of such a Bank in any other Bank duly approved for the purpose by the State Marketing Officer and"

further in exercise of powers conferred under Section 66 of the Act *ibid* the Administrator hereby permits the Market Committee to keep its Funds in any nationalised bank.

By order and in the name of the Administrator of Goa, Daman and Diu.

Alexandre Pereira, Under Secretary (Revenue).

Panaji, 24th April, 1982.

Revenue Department

Notification

No. 22/28/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for raising cashew plantation at Quitol, Fatorpa and Morpila at Quepem.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing com-

pensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act, will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector (Land Acquisition Officer), Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector (Land Acquisition Officer), Panaji.
3. The Dy. Conservator of Forest, Cashew Division, Ponda.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector (Land Acquisition Officer), Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Quepem	Quitol	—	2, 3, 5, 11 & 12 (part)	Comunidade of Quitol. North: Survey No. 12 (part). South: Village boundary of Fatorpa. East: Survey No. 12 (Part) & Survey No. 1 & 6. West: — do —	350000.00
	Quepem	Fatorpa	—	64 (part)	Comunidade of Fatorpa. North: Survey No. 64 (part). South: Village boundary of Morpila. East: Survey No. 64 (part). West: Village boundary of Quitol.	350000.00
	Quepem	Morpila	—	19	Comunidade of Morpila. North: Village boundary of Fatorpa. South: Survey No. 18. East: Road. West: Survey No. 16 & 17.	130000.00
Total						830000.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 20th April, 1982.

Notification

No. 22/134/81-RD

Whereas by Government Notification No. 22/134/81-RD dated 12-10-81 published on page 315 & 316 of Series II, No. 31 of the Official Gazette, dated 29-10-81 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. For laying the pipeline of 160 MLD Salauli Water Supply Scheme at Cotarli and Xelpem, Sanguem.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A

of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer, Sanguem to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Special Land Acquisition Officer, Sanguem, till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Survey No.	Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Sanguem	Cotarli	13	8 (Part)	Shri Marces Costa.	1415.00
			12	48 (Part)	Shri Sazu Raghoba Nadkarni.	1615.00
			12	47 (Part)	1. Shri Vishwanath Uttam Sawad. 2. Shri Anay Raghuvir Prabhu Dabolkar. 3. Shri Dilip Raghuvir Prabhu Dabolkar. 4. Shri Vassu Raghuvir Prabhu Dabolkar. 5. Shri Janardhan Prabhu Dabolkar. 6. Shri Ganesham Vassu Prabhu Dabolkar.	1023.00
			11	1 (Part)	Gurudas Timblo.	1127.00
			40	1 (Part)	Gurudas Timblo.	2754.00
	Sanguem	Cotarli	7	2 (Part)	Sazu Ragoba Nadkarni.	915.00
			7	4 (Part)	Shivaji Datta Nadkarni.	2446.00
Boundaries:						
North: Survey No. 13/8, River Survey No. 12/48, 47, Survey No. 11/1, Survey No. 40/1, Survey No. 7/2, 4 & village Xelpem.						
South: Village Zanodem, Survey No. 13/8, River Survey No. 12/48, 49, 47, Survey No. 11/1 Survey No. 40/1, 2, Survey No. 7/2, 4.						
East: Village Xelpem, Road, Survey No. 6.						
West: Village Zanodem, Road, Survey No. 6.						
	Sanguem	Xelpem	16	2 (Part)	1. Shripad Naik Sardessai. 2. Smt. Laxmibai Rajaram Keluskar.	1658.00
			15	1 (Part)	Sazu Ragoba Sinai Nadkarni.	672.00
Boundaries:						
North: Survey No. 16/2, Survey No. 15/1.						
South: Survey No. 16/2, 15/1.						
East: Survey No. 30/1.						
West: Road.						
Total						13625.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 20th April, 1982.

Notification

No. 22/144/81-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of approach road to Stadium Building of Daman Municipal Council at Nani Daman, Daman.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect

under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector of Daman, Daman, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following

officers to do the acts, specified therein in respect of the said land.

1. The Collector of Daman, Daman.
2. The Deputy Collector, Daman.
3. The Chief Officer, Daman Municipal Council, Daman.

6. A rough plan of the said land is available for inspection in the office of the Collector of Daman, Daman for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
1.	Daman	Nani Daman	49/PTS-42	Polibio Mascarinhas & Brothers.	110.00
2.	— do —	— do —	13/PTS-42	Bhangia Ratna Dhodia.	84.00
3.	— do —	— do —	14/PTS-42	Belki Tulsikumar Prajapati.	1.00
Total					195.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 20th April, 1982.

Notification

No. RD/LQN/127/78

Whereas by Government Notification No. RD/LQN/127/78 dated 20/11/1981 published on page 391 of Series II, No. 37 of the Official Gazette, dated 10-12-1981 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. Construction of Staff Quarters for Primary Health Centre at Moti Daman, Daman.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule

hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Deputy Collector, Daman, Daman to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said the Collector of Daman, Daman till the award is made under Section 11.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Daman	Moti Daman Fort	7/PTS-67		1 - Shri Carlos W. Jesus. 2 - Shri Anibal Jesus. 3 - Shri Antonio Jesus. 4 - Shri Joao de Jesus.	3,666.00
2.	Daman	Moti Daman Fort	8/PTS-67		1 - Shri G. C. Butler. 2 - Kum. Phyllis Butler.	790.00
Total						4,456.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 24th April, 1982.

Notification

No. 22/21/82-RD

Whereas it appears to the appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of Drinking water Well at Gangem, Ponda.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose

of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Land Acquisition

Officer, P.W.D. (CELL), Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Land Acquisition Officer, P.W.D. (CELL), Panaji.
3. The Executive Engineer, Works Division XVII, P.W.D., Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Land Acquisition Officer, P.W.D. (CELL), Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Ponda	Gangem	—	8/1 (Part)	1. Volkunth Shamba Gaonkar. 2. Pritabai Gajanand Gaonkar. 3. Shripad Shamba Gaonkar. 4. Purshottam Jiram Gaonkar. 5. Vassant Jairam Gaonkar. 6. Gopinath Anant Gaonkar. 7. Narhari Anant Gaonkar. 8. Tulshidas Yeshwant Gaonkar. 9. Devidas Yeshwant Gaonkar. 10. Babani Arjun Gaonkar. 11. Dharma Arjun Gaonkar. 12. Kustulo Arjuna Gaonkar. 13. Shanu Arjun Gaonkar. 14. Keshav Vithoba Gaonkar. 15. Shivram Raya Gaonkar. 16. Raghoba Ventatesh Gaonkar. 17. Damodar Pundalik Gaonkar. 18. Venkatesh Pundalik Gaonkar. 19. Atchut Pundalik Gaonkar. 20. Pandurang Pundalik Gaonkar. 21. Nada Pundalik Gaonkar. 22. Navaso Pandhari Gaonkar. 23. Manguesh Savalo Gaonkar. 24. Shankar Savlo Gaonkar. 25. Ganesh Shankar Gaonkar. 26. Atmaram Soiru Gaonkar. 27. Vaman Soiru Gaonkar. 28. Suresh Soiru Gaonkar. 29. Golukdas Jaganath Gaonkar. 30. Prabhakar Surya Gaonkar. 31. Shantaram Gajanand Gaonkar. 32. Mukund Jaganath Gaonkar. 33. Radhabai Shivanand Gaonkar. 34. Tano Vassu Gaonkar. 35. Pandurang Bhagwant Gaonkar. 36. Mohan Bhagwant Gaonkar. 37. Devaki Vassu Gaonkar. 38. Khushali Kashinath Gaonkar. 39. Anand Kashinath Gaonkar. 40. Gangadhar Uttam Gaonkar. 41. Ramnath Uttam Gaonkar. 42. Laximikant Uttam Gaonkar. 43. Subraya Narayan Gaonkar. 44. Bhikaro Datta Gaonkar. Tenant: Shri Tukaram Ganesh Naik.	600.00
Boundaries:						
North: Survey No. 8/1.						
South: Survey No. 8/1 (Foot Path).						
East: Survey No. 8/1.						
West: Survey No. 8/1.						
Total						600.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 14th April, 1982.

Notification

No. 22/161/81-RD

Whereas by Government Notification No. 22/161/81-RD dated 7-12-81 published on page 440 & 441 of Series II, No. 41 of the Official Gazette, dated 7-1-1982 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. Construction of approach road to Low Level Causeway at Zari, Moti Daman, Daman.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering

the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Deputy Collector, Daman, Daman to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Collector of Daman, Daman till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
1.	Daman	Zari	116/1	Bhalia Chhagan. Vallabh Chhagan. Paliben wd/o Babu Chhagan.	375.00
2.	— do —	— do —	116/4	Bhalia Chhagan. Vallabh Chhagan. Paliben wd/o Babu Chhagan.	25.00
3.	— do —	— do —	2/4	Shankar Laxman. Bhula Laxman. Nathu Laxman.	50.00
4.	— do —	— do —	2/5	Fakir Gandhya.	25.00
5.	— do —	— do —	1	Prema Hira.	75.00
6.	— do —	— do —	128	Chhagan Michi	125.00
7.	— do —	— do —	129/1	Prema Hira.	200.00
8.	— do —	— do —	129/2	Devu Gandia.	150.00
9.	— do —	— do —	129/3	Devu Gandia.	250.00
10.	— do —	— do —	129/7	Fakir Gandhya.	25.00
11.	— do —	— do —	129/8	Lallu Laxman.	300.00
12.	— do —	— do —	129/5	Prema Hira.	525.00
13.	— do —	— do —	129/6	Bhagu Gandhya.	100.00
14.	— do —	— do —	119/1	Somliben Rama.	225.00
15.	— do —	— do —	119/4	Nattu Laxman.	25.00
16.	— do —	— do —	121	Nattu Laxman.	575.00
17.	— do —	— do —	112/5	Prema Hira.	475.00
18.	— do —	— do —	110	Ramanlal Jeevan.	1,750.00
19.	— do —	— do —	107/1	Shankar Laxman.	325.00
20.	— do —	— do —	107/2	Bulla Laxman.	450.00
21.	— do —	— do —	106/6	Bulla Laxman.	50.00
22.	— do —	— do —	108	Jeevan Babul.	450.00
23.	— do —	— do —	102/1	Budhia Surji.	250.00
24.	— do —	— do —	102/2	Prabhu Radkha.	725.00
25.	— do —	— do —	101	Gopal Surji.	50.00
26.	— do —	— do —	103	Jagan Mervan.	600.00
27.	— do —	— do —	98	Vajir Budha.	425.00
28.	— do —	— do —	96/1	Jamku Keddar.	75.00
29.	— do —	— do —	96/2	Mathu Keddar.	50.00
30.	— do —	— do —	95/1	Jagan Mervan.	575.00
31.	— do —	— do —	95/2	Nana Keddar.	575.00
32.	— do —	— do —	98/1	Vesta Keddar.	775.00
33.	— do —	— do —	91/4	Bachhubhai Ganda. Babu Ganda. Damu Ganda. Natu Ganda.	750.00

1	2	3	4	5	6	7
34.	Daman	Zari		91/5	Gunu Dhanji.	25.00
35.	— do —	— do —		87/1	Lakhan Gurya.	25.00
36.	— do —	— do —		87/2	Ranchod Gurya.	425.00
37.	— do —	— do —		86/1	Radkha Manji.	1500.00
38.	— do —	— do —		81/2	Bachubhai Ganda. Babu Ganda. Daji Ganda. Natu Ganda.	25.00
39.	— do —	— do —		82	Lakhan Garya.	925.00
40.	— do —	— do —		80/3	Ramchod Rabul.	175.00
41.	— do —	— do —		79	Karshan Ragla.	1,175.00
42.	— do —	— do —		75/2	Bucha Vishram.	525.00
43.	— do —	— do —		76/1	Lakhan Gurya.	1,450.00
44.	— do —	— do —		76/2	Budhia Ramji. Ranchhod Ramji.	850.00
45.	— do —	— do —		71/0	Govind Lakan. Karsan Ragla. Ranchod Gurya. Radha Manji.	2,600.00
46.	— do —	— do —		70/1	Chhanubhai Vesta. Babar Vesta. Budhia Vesta. Manji Vesta.	750.00
47.	— do —	— do —		69/1	Karsan Ragla. Ukad Rama.	900.00
48.	— do —	— do —		69/2	Bhalia Chhagan. Vallabh Chhagan. Paliben wd/o Babu Chhagan.	150.00
Total						22,900.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 14th April, 1982.

Notification

No. 22/24/82-RD

Whereas it appears to the appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of School Building and Staff room at Dignem-Surla, Bicholim.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector, Goa North Division, Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector, Goa North Division, Panaji.
3. The Director of Education, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector, Goa, North Division, Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Bicholim	Cudnem	—	158/1 (part)	Shri Rajaram Marathe. North: Survey No. 158/1. South: Survey No. 158/1 & village Surla. East: Survey No. 158/1. West: Survey No. 159. Sub-Div. No. 11 & 21.	1550.00

1	2	3	4	5	6	7
Bicholim	Surla	---	177/2 (part)	Shri V. S. Dhempo & Co. North: Village Cudnem. South: Survey No. 177/2 & road. East: Survey No. 177/2. West: Survey No. 177/2, 1.		250.00
Total						1800.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 20th April, 1982.

Notification

No. 22/172/81-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of Pump house and A Type Quarters for R. W. S. S. at Bali, Quepem.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Land Acquisition Officer, P.W.D. (Cell), Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Land Acquisition Officer, P.W.D. (CELL), Panaji.
3. The Executive Engineer, Works Division XVII (RWS), P. W. D. Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Land Acquisition Officer, P.W.D. (CELL), Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Salcete	Cuncolim	---	Survey No. 455 (Part)	Lowrentina Barretto. Grasmina Barretto. Boundaries: North: Survey No. 455. South: Survey No. 455. East: Survey No. 455. West: Survey No. 455.	550.30
Total						550.30

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 20th April, 1982.

Industries and Labour Department

Order

No. 28/32/81-ILD

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the management of M/s. Shivam Engineers, Khandola-Marcela and their workman Shri Anthony Pinto, represented through Goa Trade & Commercial Worker's Union, Assonora Bardez-

-Goa in respect of the matters specified in the Schedule annexed hereto (hereinafter referred to as the "said dispute").

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (No. 14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji, constituted under Section 7 A of the said Act.

SCHEDULE

"Whether the action of the employer of M/s. Shivam Engineers, Khandola, Marcela-Goa, in dismissing the services of Shri Anthony Pinto, Welder/Cutter with effect from 17-1-1981 is legal and justified?"

If not, to what relief the workman is entitled to.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 15th April, 1982.

Order

No. 28/30/81-ILD

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an Industrial Dispute exists between employers in relation to the management of M/s. Zuari Agro Chemicals Ltd., Zuarinagar, and their workman represented through the Zuari Agro Chemicals Ltd., Employees Union Zuarinagar in respect of matters specified in the Schedule hereto annexed (hereinafter referred to as the said dispute)."

And whereas the Lieutenant Governor of Goa, Daman and Diu considers expedient to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (i) of section 10 of the Industrial Dispute Act, 1947 (Central Act 14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal, Goa, Daman and Diu, Panaji, constituted under section 7-A of the said Act.

SCHEDULE

"1. Whether the action of the employer of M/s. Zuari Agro Chemicals Pvt. Ltd., Zuarinagar, Goa has been legal and justified in dismissing Shri Thomas J. Pereira, Sr. Technician with effect from 9-6-1980 from his services?"

2. If not, to what relief the workman is entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

M. S. Sail, Under Secretary (Industries and Labour).

Panaji, 26th April, 1982.

Order

No. 28/2/79-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

M. S. Sail, Under Secretary (Industries and Labour).

Panaji, 19th April, 1982.

IN THE LABOUR COURT GOA, DAMAN AND DIU, PANAJI GOA

Reference No. LCC/30/79

1. Miss Prema Tendulkar — Applicant.

V/s.

1. Dr. V. V. Bhandare — Opponent

Panaji, dated: 5th April, 1982.

Applicant represented by Adv. A. Nigalye.

Opponent represented by Adv. M. P. Mulgaoncar.

AWARD

The above applicant has filed this application against the above opponent claiming from the latter the total amount of Rs. 13,132-80, towards overtime wages from 16-10-72 till 1-2-79.

2. It is her case that she was employed by the applicant in his establishment 'Dr. Bhandare Nursing Home', Fontainhas, Panaji Goa, from 16-10-1972 till 1-2-1979 with a monthly salary of Rs. 265/- where she was continuously working for 24 hours, without break on every alternate day. Taking into consideration that, under the Shops and Establishments Act, hereinafter called the Act, she had to work only 8 hours a day and 26 working days in a month, she has worked 152 hours in excess for a month and, hence, she is entitled to Rs. 273-60 per month, by way of overtime wages. She has claimed the said wages from 28-1-75, the date on which the Act became applicable to Goa, till 1-2-79, i.e. for a period of 48 months.

3. In his written statement, the opponent first raised a preliminary objection regarding lack of jurisdiction of this court to entertain the application under Section 42 and 43 of the Act, which objection was rejected by the Court, by its Order dated 5-4-1980. In the subsequent written statement filed, the opponent, besides raising further objections, has contended, on merits, that the applicant, when admitted, was not a qualified nurse nor had any experience in nursing or midwifery; she was in the first instance in service training under an agreement by virtue of which she would work on alternate days and, on the days of service, she would be provided with food and accommodation free of charge, in addition to the agreed salary. After the applicant got the training in the opponents nursing home, she was given an increment of Rs. 10/- per year in her monthly salary; that the Act is not applicable to the nursing home of the opponent, as it is not an establishment nor a commercial establishment within the meaning of the Act. It is denied that the applicant worked continuously for 24 hours, since she had ample time for her meals, rest and sleep during night time. The applicant was paid in terms of her agreement and the opponent does not owe her any amount.

4. In her rejoinder, the applicant has refuted the opponent's contentions in the written statement.

5. The issues framed by my learned predecessor Dr. Coelho were reframed by me and they read as follows:

ISSUES REFRAMED BY THE COURT

1. Does the Applicant prove that she is a 'Workman' within the meaning of S.2(s) of the Industrial Disputes Act, 1947?

2. Does the Applicant prove that the Nursing Home of the Opponent is an 'Industry' as defined under the Industrial Disputes Act, 1947?

3. Does the Applicant prove that she is entitled to Overtime Wages?

4. Does the Applicant prove that her Wages were Rs. 225/- in cash plus accommodation and food supplied by the Opponent?

5. Does the Applicant prove that she worked for 152 hours in excess every month and hence, she is entitled to Rs. 285.76 per month by way of Overtime Wages and consequently Rs. 4286.40 P. for the period from 1-11-77 to 1-12-79?

6. Does the Applicant prove that if any conditions of work mutually agreed upon between the parties were there, the same are null and void to the extent they take away benefits given to her by statutory provision of I.D.A. or under the Shops and Estt. Act?

7. Does the Opponent prove that the Applicant is not entitled to claim money due to her prior to one year the date of the filing of this Application i.e. 31-3-1979?

8. Does the Opponent prove that his Nursing Home does not come under the Govt. of Goa, Daman & Diu Shops and Establishment Act, 1973?"

6. Only the opponent led his evidence. Both the parties representatives advanced their arguments and now the matter is before me for decision.

7. The first issue to be decided is issue No. 8, which reads as follows:

"Does the Opponent prove that his Nursing Home does not come under the Govt. of Goa, Daman and Diu Shops and Establishments Act, 1973?"

Adv. M. P. Mulgaonkar, in his oral arguments, has contended that the Nursing Home of the opponent is not an Establishment or commercial Establishment under the provisions of the Act and, therefore, the applicant cannot base her claim on the provisions of the said Act. He has relied on the ruling of the Supreme Court in the case of Dr. Devandre M. Surti of State of Gujarat in AIR 1969 page 63.

7. I have persued the said ruling, which supports the opponent's contention. The learned advocate for the applicant was not in a position to cite other rulings supporting his view. In the above ruling, the Supreme Court has considered the relevant provisions of the Bombay Shops and Establishments Act, 1948, which are substantially similar to the provisions of the Act, and come to the conclusion that a private dispensary of a Doctor is not a commercial establishment within the meaning of the Act and, therefore, its provisions do not apply to such dispensary. The sum and substance of the reasoning of the Supreme Court in the said ruling is given as follows:

"It is true that Section 2(4) of the Act has used words of very wide import and grammatically it may include even a Consulting room where a doctor examines his patients with the help of a solitary nurse or attendant. But, in the matter of construing the language of Section 2(4) of the Act the principle of "noscitur a sociis" has to be adopted. The presence of the profit motive of the investment of capital tradition associated to the notion of trade and commerce cannot be given an undue importance in construing the definition of 'Commercial Establishment' under Section 2(4) of the Act. The correct test of finding whether a professional activity falls within Section 2(4) of the Act is whether the activity is systematically and habitually undertaken for production or distribution of goods or for rendering material services to the community or any part of the community with the help of employees in the manner of a trade or business in such an undertaking.

A professional activity must be an activity carried on by an individual by his personal skill and intelligence. There is a fundametary distinction, therefore, between a professional activity and an activity of a commercial character and unless the profession carried on by a person also partakes of the character of a commercial nature, he cannot fall within the ambit of Section 2(4) of the Act.

Thus where professional activity is carried on in such a manner that the condition of the co-operation between the employer and the employees is necessary for its success and its object is to render material service to the community, then these can be regarded as some of the features which render the carrying on of a professional activity to fall within the ambit of Section 2(4). A person following a liberal profession like that of a doctor does not carry on his profession in any intelligible sense with the active co-operation of his employees and the principal, if not the sole, capital which brings into his profession is his special or peculiar intellectual and educational equipment. Hence the professional establishment of a doctor cannot come within the definition of Section 2(4) of the Act".

8. In view of the above ruling, which is fully attracted in our case, I hold that the provisions of the Act, on which the applicant has based her claim, are not applicable to the Nursing Home of the Opponent and, therefore, I dismiss her application. Costs of Rs. 100/- be paid by the applicant to the Opponents Advocate.

Dr. Renato de Noronha
Presiding Officer,
Labour Court.

Order

No. 28/2/79-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 27th March, 1982.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU, PANAJI - GOA

(Before Dr. Renato de Noronha, Presiding Officer)

Application No. IT/13/77

Reference No. IT/8/78

Application No. IT/13/77

1. M/s. Society of Transport — Applicant
V/s.

1. Gurudas Naik — Opponent

Reference No. IT/8/78

1. Shri Gurudas Essu Naik, workman — Party I
V/s.

1. M/s. Society of Transport, employer — Party II
Opponent and Party I represented by Adv. S. P. Satoskar.

Panaji, Dated 11/3/1982.

AWARD

This common award shall dispose of the two disputes referred to above. In the application IT/13/77, applicant's case is that, when reference No. IT/43/75 was pending adjudication in this Tribunal, the opponent, on 5-2-77, went to the garage at about 8.30 p.m., took the bus GDT 2177, without permission, from the Garage and drove the same on Marcel route, without permit to ply on the said route, caused an accident to the bus on that road and remove the bus from the place of the accident without informing the police. A show cause notice was issued to the opponent on 7-2-77, which was followed by a Charge Sheet and then by an inquiry, in which the opponent took active part. The following charges were framed in the Charge Sheet:

- "a) Damage or loss whether wilful or due to irresponsible action or damage due to negligence or carelessness or/of work in process or to/of any property of the establishment.
- b) Breach of any rules or instructions given by the Management for the proper functioning or safety of the vehicle.
- c) Gross negligence in driving the vehicle thereby causing damages to the vehicle putting the Company into financial loss.
- d) Taking away of the vehicle after accident without informing the police as regards under The Motor Vehicle Acts and Rules.
- e) Taking the vehicle without permission and without authority and plying the same on the route for which the Society has got no permit thereby putting the Society into criminal liability.
- f) Commission of any act subversive of discipline and/or good behaviour."

The Inquiry Officer submitted his findings holding that charges number a, b, f & e to the extent "taking the vehicle without permission and without authority" have been proved against the opponent. These findings were accepted by the applicant, who, having considered the past record of the opponent, decided to dismiss him from services. Accordingly, the opponent was dismissed with effect from 2nd June, 1977. One month's wages were paid to him, as required by law. It is prayed that the action taken by the applicant be approved.

2. The opponent filed his reply, stating that the application is not bonafide, the inquiry was not properly conducted, the Inquiry Officer has taken a prejudiced view and instead of giving his findings on the basis of the Inquiry Proceedings, considered some past records to justify the dismissal order without giving an opportunity to the opponent to explain his conduct. It is prayed that the application be dismissed and the opponent taken back on his job and paid his wages.

3. My Learned Precedor, Dr. Coelho, framed the following issues:

- i) Does the opponent prove that the Inquiry conducted by the applicant is not fair and proper?
- ii) Is this application maintainable?

4. In reference No. IT/8/78, the Order of reference which bears No. IRM/CON/(93)/77/IT/22/77 and is dated 12th January, 1978, reads, in the Schedule, as follows:

"Whether the action of the Management of the Society of Transport Panaji—Margao, Panaji, Goa, in dismissing Shri Gurudas Essu Naik, Driver, from services, with effect from 2-6-1977, is legal and justified?"

If not, to what relief the workman is entitled to?"

5. The workman, Party I, filed his statement of claim stating as follows:

The Management of the Employer, Party II, dismissed him from service with effect from 2-6-77 without holding proper inquiry into the charges levelled against him and without giving him sufficient chances for his defence. A show cause notice was issued to him, which was followed by a charge-sheet, nearly after a lapse of two and a half months from the date of issue of the show cause notice. Thereafter, a farce of conducting an inquiry against him into the alleged charges was made and, further, he was informed that he was dismissed from the Company's service with effect from 2-6-77. The Management of the Company failed to prove the charges levelled against him in the alleged inquiry proceedings and, hence, the dismissal order is illegal, mala fide and bad in law. During the tenure of his over 20 years of service with the Company, he has never received any warning in the post. Hence, the punishment of dismissal is too severe and unwarranted, being against the principle of natural justice. He has prayed that he be reinstated in his post, with full back wages and continuity of services.

6. The case of the employer, Party II, is that when reference No. IT/43/75 was pending adjudication in this Tribunal, the opponent on 5-2-77 went to the garage at about 8.30 p.m., took the bus GDT 2177 without permission from the Garage and drove the same on Marcel route, without permit to ply on the said route, caused an accident to the bus on that road and removed the bus from the place of the accident without informing the police.

7. The workman filed his reply to the written statement of the Employer.

8. The following preliminary issue was framed by Dr. Coelho, the then Presiding Officer:

1. Does the employer Party II prove that the domestic inquiry conducted by them was proper, fair and according to the principles of natural justice?

9. When the matter was posted for evidence on both the above cases, the parties approached the Tribunal and filed a joint memo of settlement of both the disputes, namely No. IT/13/77 and IT/8/78 and prayed that a consent award be passed in terms of the said settlement.

10. I have pursued the settlement terms and arrived at the conclusion that they are fair to both the parties. Hence, I accept them and pass the following order:

ORDER

Consent Award in terms of the memo of settlement, which shall form part of this award, is hereby made and the application No. IT/13/77 and reference No. IT/8/78 are disposed off.

No order as to costs.

Dr. Renato de Noronha,
Presiding Officer,
Industrial Tribunal.

Before Dr. Renato Noronha, Industrial Tribunal-cum-Labour Court—Panaji - Goa

Ref.: No. IT 8/78

Application 13/77

Between

M/s. Society of Transport Panaji-Goa

and

Shri Gurudas Essu Naik

MAY IT PLEASE YOUR HONOUR:

An Industrial Dispute was referred to this Hon'ble Tribunal by the Government of Goa, Daman and Diu, u/s. 10(1)(d) of the Industrial Disputes Act 1947.

The facts of the case are that on 5-2-1977 the workman took away the bus belonging to the Society and drove the same without any authority or sanction. The workman also caused an accident to the said bus thus making financial losses to the Society and also exposing the Society for legal action.

An enquiry was conducted into the charges levelled against the workman for causing damage and loss to the Company and the workman was dismissed on 2-6-1977, having been found guilty of the various charges levelled against him.

The workman was paid an amount of Rs. 2,525.80 towards the settlement of all his legal dues including one month's pay.

In the meantime, workman and his representative approached the Employer and requested to settle the dispute amicably. After having discussed the issues thoroughly both the parties have arrived at the settlement amicably.

Terms of Settlement

1. The workman agrees that his dismissal awarded by the management of Society of Transport Panjim Margao is legal and accepted by him.
2. The workman agrees that he has been paid an amount of Rs. 2,525.80 by way of settlement of all his legal dues and have no claim of whatsoever nature against the management.
3. It is agreed between the parties that the workman will be paid an amount of Rs. 305/- as ex-gratia payment, and his dispute with the Society is conclusively settled by virtue of this settlement.

In view of the above the parties pray to this Hon'ble Tribunal to pass an order of approval of this settlement.

For which act of kindness the parties shall ever remain.

Signature of the Parties:

- | | |
|---|--|
| 1. Shri Gosal Pereira
(Secretary-STPM) | 1. S. B. Satorkar
(Representing Worker) |
| 2. A. S. Mashelkar
(Representing Management) | 2. Gurudas Naik
(Workman) |

Witnesses:

1. ...
2. ...

Date: 27th January, 1982.

Notification

No. 5-34-81/ILD

The following Orders received from the Government of India, Ministry of Steel, Mines and Coal (Department of Mines) Nagpur, are hereby republished for general information of the public.

S. D. Sadhale, Under Secretary (Industries and Labour).
Panaji, 17th February, 1982.

GOVERNMENT OF INDIA

MINISTRY OF STEEL AND MINES

(Department of Mines)

THE CONTROLLER OF MINING LEASES FOR INDIA

Case No. Z-554

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 6-5-1957 for Iron ore held by Shri Francisco Cecilio Jorge de Sequeira, Campal, Panaji (Goa) for unlimited period, area 69.4320 Hectares in Villages Aturli and Naroa in Bicholim Taluka (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 30 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 9th April, 1981.

Case No. Z-106

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 6-4-1951 for Iron and Manganese ore held by Shri Harichandra Sanvol Naique Tari, Mine Owner, Sanguem (Goa) for unlimited period, area 83.3000 Hectares in Village Cumbari of Taluka Sanguem (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 13th April, 1981.

Case No. Z-171

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 29-2-1952 for Iron and Manganese ore held by Shri Harichandra Sanvol Naique Tari, Sanguem (Goa) for unlimited period, area 60.6502 Hectares in Village Vichundrem of Sanguem Taluka (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 13th April, 1981.

Case No. Z-184

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 22-2-1952 (T.T. 4-5-1953) for Iron and Manganese ore held by Shri Badrudin Mavani, Mine Owner of Margao (Goa) for unlimited period, area 100 Hectares in Village Rivona of Taluka Sanguem (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 13th April, 1981.

Case No. Z-228

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 19-9-1952 (T.T. 21-10-1957) for Iron and Manganese ore held by Smt. Sharam Bi, Wd/o late Shri Soid Adam, Mine Owner, Sanguem (Goa) for unlimited period, area 26.0750 Hectares in Village Colomba of Sanguem Taluka (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 30th May, 1981.

Case No. Z-510

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 2-5-1956 for Iron and Manganese ore held by Smt. Savitribai Roguvir Lotlekar, Administrator of late Shri Roguvir Naraina Lotlekar, Margao (Goa) for unlimited period, area 59.9400 Hectares in Village Maina Taluka Quepem (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines & Minerals (Regulation & Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines & Minerals (Regulation & Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India

Nagpur:

Dated the 30th May, 1981.

Case No. Z-27

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 11-7-1949 (T.T. 9-5-1960) for Iron and Manganese ore held by Shri Hiralal Khodidas, Mine Owner, Curchorem (Goa) for unlimited period, area 70.1870 Hectares in Village Colomba of Sanguem Taluka (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 27th June, 1981.

Case No. Z-584

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 30-9-1957 for Iron and Manganese ore held by Smt. Sunanda D. Bandodkar, Administrator of D. B. Bandodkar (HUF), Altinho, Panaji (Goa) for unlimited period, area 94.9160 Hectares in Village Codqui Taluka Satari (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:—The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines & Minerals (Regulation & Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines & Minerals (Regulation & Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified

by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman & Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 30th June, 1981.

Law Department (Establishment)

Notification

No. 4-25-81/LD

The following Order No. JCC/A-1/82/83 dated 19-4-1982 from the Registrar, Judicial Commissioner's Court, Panaji is hereby published for general information.

R. V. Durbhatkar, Under Secretary (Law).

Panaji, 24th April, 1982.

Judicial Commissioner's Court

Order

No. JCC/A-1/82/33

In exercise of the powers vested in this Court under Section 9(3) of Cr. P. C., the following appointments are hereby made to take effect from the date the concerned Judicial Officers assume charge at the stations where they are posted/transferred under this Court's Order No. JCC/SC-7/82/4 dated 19-4-1982:

1—Dr. Antonio Orlando Pinto Soares, Chief Judicial Magistrate, is appointed as Addl. Sessions Judge to exercise jurisdiction in the Court of Sessions, South Goa Sessions Division, Margao.

2—Shri R. K. Batta, J.M.F.C., is appointed as Addl. Sessions Judge to exercise jurisdiction in the Court of Sessions, North Goa Sessions Division. He shall ordinarily hold his sittings at Mapusa.

Sd/-

Gustavo Filipe Couto, Acting Judicial Commissioner.

Panaji, 19th April, 1982.

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